

No.



8200088

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME;

Scattini Seeds, Inc.

Whereas, THERE HAS BEEN PRESENTED TO THE
Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED NOVEL VARIETY OF SEXUALLY REPRODUCED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF **LAW** IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND **WHEREAS**, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE **LAW**.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF *eighteen* YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY **LAW**, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, IMPORTING IT, OR EXPORTING IT, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT (1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

BROCCOLI

'Independence'



In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington this 27th day of January in the year of our Lord one thousand nine hundred and eighty-three

Attest:

Kenneth A. Evans

Acting
Commissioner

Plant Variety Protection Office

Grain Division

John R. Block

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

INSTRUCTIONS: See Reverse.

No certificate for plant variety protection may be issued unless a completed application form has been received (5 U.S.C. 553).

1. TEMPORARY DESIGNATION OF VARIETY EXPERIMENTAL 286		1b. VARIETY NAME INDEPENDENCE		FOR OFFICIAL USE ONLY PV NUMBER 8200088	
2. KIND NAME BROCCOLI		3. GENUS AND SPECIES NAME BRASSICA OLERACEA VAR. BOTRYTIS		FILING DATE 4/5/82	TIME 11:45 A.M. RMK
4. FAMILY NAME (BOTANICAL) CRUCIFERAE		6. DATE OF DETERMINATION APRIL 1, 1982		FEE RECEIVED \$ 500.00 \$ 250.00	DATE 4/5/82 1/17/83
6. NAME OF APPLICANT(S) SCATTINI SEEDS, INC.		7. ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code) 1061 TERVEN AVE. SALINAS, CA 93901		8. TELEPHONE AREA CODE AND NUMBER (408) 758-1674	
9. IF THE NAMED APPLICANT IS NOT A PERSON, FORM OF ORGANIZATION: (Corporation, partnership, association, etc.) CORPORATION		10. IF INCORPORATED, GIVE STATE AND DATE OF INCORPORATION CALIFORNIA		11. DATE OF INCORPORATION 3/11/76	
12. NAME AND MAILING ADDRESS OF APPLICANT REPRESENTATIVE(S); IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS: MR. MELVIN BACHMAN c/o SCATTINI SEEDS, INC. 1061 TERVEN AVE. SALINAS, CA 93901					

13. CHECK BOX BELOW FOR EACH ATTACHMENT SUBMITTED:

- ☐ 13A. Exhibit A, Origin and Breeding History of the Variety (See Section 52 of the *Plant Variety Protection Act*.)
- ☒ 13B. Exhibit B, Novelty Statement.
- ☐ 13C. Exhibit C, Objective Description of the Variety (*Request form from Plant Variety Protection Office*.)
- ☐ 13D. Exhibit D, Additional Description of the Variety.

14a. DOES THE APPLICANT(S) SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VARIETY NAME ONLY AS A CLASS OF CERTIFIED SEED? (See Section 83(a), (If "Yes," answer 14B and 14C below.)
c | YES ☒ NO

14b. DOES THE APPLICANT(S) SPECIFY THAT THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS?
a YES ☐ c | NO ☒

14c. IF "YES," TO 14B, HOW MANY GENERATIONS OF PRODUCTION BEYOND BREEDER SEED?

☐ FOUNDATION c | REGISTERED ☐ CERTIFIED

15a. DID THE APPLICANT(S) FILE FOR PROTECTION OF THIS VARIETY IN OTHER COUNTRIES? ☐ YES ☒ NO (If "Yes," give name of countries and dates.)

15b. HAVE RIGHTS BEEN GRANTED THIS VARIETY IN OTHER COUNTRIES? ☐ YES ☒ NO (If "Yes," give name of countries and date)

16. DOES THE APPLICANT(S) AGREE TO THE PUBLICATION OF HIS/HER (THEIR) NAME(S) AND ADDRESS IN THE OFFICIAL JOURNAL? ☐ YES ☒ NO

17. The applicant(s) declare(s) that a viable sample of basic seed of this variety will be furnished with the application and will be replenished upon request in accordance with such regulations as may be applicable.

The undersigned applicant(s) is (are) the owner(s) of this sexually reproduced novel plant variety, and believe(s) that the variety is distinct, uniform, and stable as required in Section 41, and is entitled to protection under the provisions of Section 42 of the Plant Variety Act.

Applicant(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.

4-1-82

(DATE)

4-1-82

(DATE)

Shirley Scattini

(SIGNATURE OF APPLICANT)

James A. Scattini

(SIGNATURE OF APPLICANT)

EXHIBIT AORIGIN AND BREEDING HISTORY OF THE VARIETY

BROCCOLI: INDEPENDENCE

In March 1981, Independence was identified to be different from any medium late variety on the market determined by plant size, head growing characteristics and length of time to harvest. Seed increase was completed in August 1981 and the variety was then planted for commercial seed production in October of 1981. The seed won't be harvested until late summer or early fall 1982.

In the winter of 1979 a single plant selection was made in an experimental field trial of a medium late variety produced by T. Sakata and Company. The variety was an F-1 hybrid given the Sakata Experimental Number 1702. This variety was later named Shogun F-1. This single plant was then self pollinated and 200 seeds were obtained. These seeds were replanted in the fall of 1979. These plants were extremely uniform and showed good head size and quality. The plants were then treated as an open pollinated variety and seed was collected off 180 individual plants.

Seed from those plants were then planted in field trials in the fall of 1980. Seed was also planted for a seed increase during the same period. Field trial results were then propagated as an open pollinated variety.

Data evaluated from two years of field trials and examination of plots for seed increases have shown this variety to be very uniform with only one type of rogue observed. This off-type is a smaller plant that doesn't achieve adequate size when the majority are ready for harvest. This rogue is about half the size of the normal plant. Incidence rate of this plant is one plant per 200 total plants. Breeding method used may be outlined as follows:

EXPERIMENTAL

1. Single plant selection.
2. Self pollinated.
3. Selected winter of 1979.

F-L

1. 180 plants open pollinated.
2. Planted fall of 1979.
3. Seed harvested summer of 1980.

F- 2

1. Seed increase planted in fall of 1980.
2. Field trials planted at this time=
3. Seed harvested summer of 1981.

F- 3

1. Seed production field planted fall of 1981.
2. Field trials planted at this time=
3. Seed will be harvested summer of 1982.

EXHIBIT A Addendum

Origin and Breeding History of the Variety

Each planting of Independence has shown the variety to be stable and uniform. Plant uniformity is within acceptable limits for broccoli varieties=

EXHIBIT B
Addendum III
Novelty Statement

Independence is most similiar to the medium late
F-L hybrid **Shogun**.

EXHIBIT B
Addendum II
Novelty Statement

Independence is a single plant selection out of the F-1 hybrid Shogun. The plant exhibits Shogun's large head size while being very compact. The plants both have similar bluish green head. color and have small flower bud size. Both plants range in maturity from 120 to 330 days.

Independence has 1/3 to 1/2 less foliage than Shogun. The head on Independence is 20 to 30 cm. above the majority of the leaves while Shogun's head is set more into the plant and doesn't stand above the foliage. Shogun is, on the average, 10 cm. shorter than Independence from soil level to the top of the center of the main head. Since the head of Independence is well above the foliage of the plant it may lend itself to mechanical harvest while Shogun would be unsuitable for that kind of harvest due to the head being set lower in the plant.

OBJECTIVE DESCRIPTION OF VARIETY

BROCCOLI (*Brassica oleracea* var. *italica*)

OFF APPLICANT(S)

SCATTINI SEEDS, INC.

ADDRESS (street and No. or R.F.D. No., City, State, and ZIP Code)

1061 TERVEN AVE.

SALINAS, CA 93901

FOR OFFICIAL USE ONLY

PVPO NUMBER

8200088

VARIETY NAME OR TEMPORARY
DESIGNATION

Place the appropriate number that describes the varietal character of this variety in the boxes below.

Place a zero in first box (e.g. or) when number is either 77 or less or 9 or less.1. REGION OF ADAPTATION: (Where best adapted in the U.S.A.)

1 = NORTHWEST

2 = NORTHCENTRAL

3 = NORTHEAST

4 = SOUTHEAST

5 = SOUTHWEST

2. SEASON: (Main Crop)

1 = LATE FALL • EARLY WINTER

2 = LATE WINTER • EARLY SPRING

3 = LATE SPRING • EARLY SUMMER

4 = LATE SUMMER • EARLY FALL

3. MATURITY (Days to 50% harvest):

Spring Planted .

c

FROM TRANSPLANTS:

1 = VERY EARLY (<55)

2 = EARLY (55-70)

3 = MEDIUM (70-85)

c

FROM DIRECT SEEDING:

4 = LATE (85-100)

5 = VERY LATE (100+)

HARVESTING PERIOD IN DAYS

Fall Planted

c

FROM TRANSPLANTS:

1 = VERY EARLY (<55)

2 = EARLY (55-70)

3 = MEDIUM (70-85)

c

FROM DIRECT SEEDING:

4 = LATE (85-100)

5 = VERY LATE (100+)

HARVESTING PERIOD IN DAYS

4. PLANT HABIT:

1 = SPREADING

2 = COMPACT

5. PLANT HEIGHT:

CM. FROM SOIL LEVEL TO TOP OF CENTER, MAIN HEAD

CM, SHORTER THAN

CM. TALLER THAN

1 = Spartan Early

2 = Waltham 29

3 = Pacifica

4 = Medium Late 145

5 = Other (specify) _____

6. LEAVES:

CM. AVERAGE LENGTH AT MID-POINT OF PLANT (Minus Petiole)

CM. AVERAGE WIDTH AT MID-POINT OF PLANT

RATIO • LENGTH/WIDTH

1 = (2:1)

a = (3:1)

3 = (4:1)

4 = (5:1)

5 = (6:1)

LEAVES: (Cont.)

Margins:

a 1 1 = STRAIGHT 2 = WAVY

Veins:

c 1 2 1 = THIN 2 = THICK

1 0

CM. PETIOLE LENGTH

c 1 3 1 = SESSILE 2 = PETIOLATE 3 = SESSILE AND PETIOLATE

7. ANTHOCYANIN COLORATION (Under ideal growing conditions): (1 = absent 2 = present)

a 1 LEAF AXILS 1 LEAF PETIOLES 1 ENTIRE PLANT

1 LEAF VEINS c 1 1 LEAF BLADE

8. INF LORESCENCE:

1 FLOWER BUD SIZE: 1 = SMALL (MEDIUM LATE 145) 2 = MEDIUM (WALTHAM 291) 3 = LARGE

2 FLOWER COLOR: 1 = WHITE-CREAM 2 = YELLOW

2 NUMBER OF MARKETABLE SIDE SPROUTS AFTER HEAD IS HARVESTED:

1 = NONE 2 = FEW 3 = MANY 4 = GREATEST PART OF YIELD

2 0 CM. DIAMETER CENTER HEAD

1 0

CM. AVERAGE DIAMETER SIDE HEADS

2 5 CM. DEPTH OF CENTER HEAD

1 6

CM. DIAMETER OF STEM AT BASE OF HEAD

a 3 CENTER HEAD COMPACTNESS: 1 = LOOSE 2 = MEDIUM 3 = TIGHT

4 CENTER HEAD COLOR: 1 = LIGHT GREEN 2 = MEDIUM GREEN 3 = DARK GREEN
4 = BLUISH GREEN 5 = PURPLE

9. DISEASE RESISTANCE: (1 = Susceptible 2 = Resistant Specify race if known):

1 BLACK SPOT

1 CLUBROOT

1 PHYTOPHTHORA ROOT ROT

1 WHITE BLISTER

1 BLACK ROT

1 BOTTOM ROT

1 CERCOSPORELLA LEAF SPOT

1 DOWNEY MILDEW

c 1 1 POWDERY MILDEW

1 VERTICILLUM WILT

c 1 1 BLACK LEG (*Phoma Lingam*)

1 CAULIFLOWER MOSAIC

c 1 1 RING SPOT

1 TURNIP YELLOW MOSAIC

a 1 YELLOWS

1 ROOT KNOT

c 1 1 WIRE STEM

a OTH E R (Specify) _____

10. OTHER RESISTANCES: (1 = Susceptible 2 = Resistant)

a 1 INTERNAL TIP BURN

1

INSECTS (Specify) _____

☐ OTHER (Specify) _____

11. INDICATE A VARIETY THAT MOST CLOSELY RESEMBLES THAT SUBMITTED:

CHARACTER	NAME OF VARIETY	CHARACTER	NAME OF VARIETY
Maturity	SHOGUN F - 1	Head size	SHOGUN F - 1
Plant size	GEM F-7	Head shape	SHOGUN F - 7
Plant habit	SHOGUN F - 7	Head color	S H U G U N F-1
Plant color	SHOGUN F - 7	No, side shoots	SHUGUN F-7

COMMENTS:

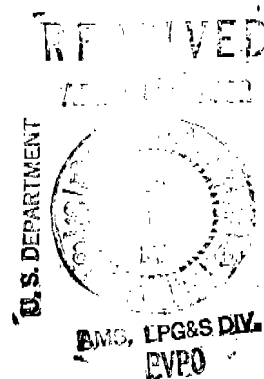


EXHIBIT ^D

R/s 11/9/82

~~NOVELTY STATEMENT~~**BROCCOLI: INDEPENDENCE**

Independence belongs to the medium late class of broccoli varieties. Head and foliage characteristics of this variety doesn't resemble any variety currently available for this time period. Plant maturity ranges from 120 to 130 days depending upon weather conditions= Concentration of mature heads is extremely high allowing for a high percentage of heads to be harvested during the first cutting= Independence is primarily adapted for early September to late December plantings-in the coastal valleys of central California=

Plant and head color of Independence is bluish green. Head site is large and fine beaded with the major part of the plant foliage 30 to 40 cm. under the top of the head. Nature heads will remain tight from 10 to 20 days, depending on weather, this helps to insure an extremely high percentage of heads harvested on the first cutting. This variety may lend itself to machine harvest=

Leaf veins are thick and are white which are quite distinct from the bluish green leaf.

When compared to other medium late varieties- including Shogun F-1, Independence has 1/3 to 1/2 less foliage than the other varieties and its head is above the foliage while the other varieties have their heads set lower in the plant=

Head growth on Independence is quite unique. The head at button stage until about 1/2 the harvestable size stays down within the foliage of the plant. About 10 to 15 days before harvest the head grows out of the foliar part of the plant, growing as much as 20 to 30 cm. above the majority of the leaves.

Summary:

Independence is a medium late variety which shows large head size and excellent quality. The plant takes 120 to 130 days to mature, and displays excellent holding ability to make a large first harvest possible. The plant itself contains less foliage and has a head that stands well above the foliage of the plant to facilitate easy harvesting= Although the variety was selected from Shogun F-1, it has little in common as far as physical appearance to Shogun, other than they both fill the medium late time period, and both take about the same amount of time to mature.

^D
EXHIBIT ~~1~~ ~~Addendum~~
~~Novelty Statement~~

R/S 11/9/82

Differences of Broccoli varieties 143 A, 145, and 423 when compared to Independence*

Independence has a harvest date of 20 to 30 days earlier than Broccoli 143 A- Independence has B/3 to 1/2 less foliage and its head sits well above the foliage while 143 has heads that sit deeper into the plant-

When compared to Variety 145, Independence is harvested 25 to 40 days earlier. Independence has much less foliage and its head sits well above the foliage while the head of 145 sits deeper into the plant-

Independence has a shorter harvest date of 20 to 30 days than Variety 423. The foliage of 423 is much greater than Independence and its head sits deeper into the plant when compared to Independence.